Preserve
28-4-60

App. F. IX-4

Previous References

1937.
(L.B.)

File No. 34-37

Serial Nos. 4, 23, 33, 50, 51, 55

Letter References
L.B. 34-37-81, 82, 83
" " 87 & 88

LB·33·39, 7, 8,
LB 33-39 - 14, 16, 19, 38, 39, 44, 45.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Six

Part B for March 38

SUBJECT.

Registration of lease deeds of Shandy Contracts
— Dist Bds & Municipalities

(81 55)

The Pby Dist Bds
The Delhi Dist Bd
The Delhi, Bi(il)
Notified Area, Imdel, Tryme
The Controller
The Comr of Stamps
The D.G.R.

No L. 7579-99 Dy 12.3.38

Directs that the lease deeds executed by Shandy and market contractors, in favour of Municipal Committees should be registered

24.3.38

WD 0296—GPB—22,500—13-8-37

1655 P 83

1157
2

General and Revenue Secretariat | LB File No. 34 of 1937-38 | [App. F. III—2

Serial No. 4

From

The President, Distt Bd, Rajpura

no c 54/37-38 dt 26.8.37

Requests to be informed whether it would be sufficient to get an unregistered lease deed executed on a stamp paper of ten annas by the contractors who purchase the rights of collection of market fees in the rural Distt Board Mandis which are leased out annually by public auction

The opinion of the Law section may please be stated on the subject

for favour of opinion

2
13/9/37

(Law section)

13/9/37

8b

Law
BNR
13.9

A copy of the District Boards Accounts & Manual (amended) may kindly be put up

BNR
14.9.37

(L.S.G Branch)

A copy is put up

14-9-37.

(Law section)

It is stated in the letter of the President that in accordance with the District Board Accounts amended Manual the lease deeds have got to be registered I am not able to find such a provision in any of the Articles or appendices of the

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-9-37

2843 p 837

1655

1157

File No. 2365/1 of 193 | General and Revenue Secretariat

Manual put up the particular reference in the Manual may kindly be flagged or the necessary information may be obtained from the President, Mysore District Board

BNR 24/9/37

Asst. Secy (L.S.G. Br) W.C.

Subject the required information will be obtained from the President, Dist Board Mysore

from 24-9-37

Plan do 1/0

2 2ce/9/-

Dft Subd for 27/9/37 from

V. Enc 2 27/9/-

TYPING SECTION 27 SEP 1937 GENL. & REV. SECTT.

Do Mem Dt Nil Mysore

No 3340 dy 2-10-37

Requests him to forward an extract of the rule or article wherein it has been stated that the lease deeds should be regd.

from the President, DBB Mysore

no CSR/37-38 dy 1/6. Nov 1937

Furnishes the information called for & this will, if approved, be repd to the Land Section with reference to para 6 supra

for 10/11/37

Asst Secy Govt W.C.

8 10/11/-

Registration of lease deeds by Municipal contractors

P

21/i

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.

10 Please put up the District Boards Accounts Manual (amended) L. S. G. Br) BKR 11-11-37

11 This put up herewith

Asst 11.11.37)

11- In the present case we are dealing with the right of Collection of market fees in the several Shandies. The income derived in that way might well be regarded as a benefit arising out of the land ~~or the Board~~ possession, and when the Board transfers the right to collect those fees to another party, the Board would be transferring a benefit arising out of land i.e. immoveable property within the meaning of Section 107 of the Transfer of Property Regulation. As such a transfer is a lease of immoveable property, such leases can be made only by a registered document, if it is for year to year or for any term exceeding one year, or reserving a yearly rent.

29 NOV. 1937

BKR 29.11.37)

Asst. Secy L.S.G. Br) W.C

13 The opinion of the Law Secretary may if approved be communicated to the President D. B. Mysore

Levy L.S.G).

2 29/11/-

10 Please put up Proceedings for countersignature

2/12/37

LOCAL SELF GOVT 29 NOV. 1937 GOVT OF MYSORE

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

Registration of lease deeds of shandy contracts

2787

MB File No. 34 of 1937.

General and Revenue Secretariat

Draft letter as submitted - as directed -

As the question is of a general nature, it seems necessary to issue a G.O. in the matter -

Copies of the letter to be sent to the Presidents and Deputy Commissioners for their information -

Rmr 7/12 for Levy L.V.S) 2 7/14-

No G.O. issued in accordance with the draft. Please return draft accordingly -

SECY. LOCAL SELF GOVT. 8 DEC. 1937 GOVT OF MYSORE

Rmr 14/12 for Levy L.V.S) 2 16/14-

Draft G.O. is submitted for consideration.

14/12 2 10/14-

(D. 123) 2 17/14-

II Member

Is the right of collecting shandy fees sold "from year to year" or "for a period exceeding one year" or "reserving a yearly rent" ? Please put up the act Manual regarding the provisions relating to the collection of shandy fees etc - Also a copy of the D. P. Act (Amended)

Rmr 22/12/37

23.12.37) 2 23/14-

SECY. LOCAL SELF GOVT. 16 DEC. 1937 GOVT. OF MYSORE.

OFFICE OF THE SECOND MEMBER OF COUNCIL. 21 DEC. 1937 No. 44465

Registration of lease deeds of stamp vendors - 2765

General and Revenue Secretariat

WB File No. 34 of 1937. [App. F. III—2

OFFICE OF THE SECOND MEMBER OF COUNCIL. 3 JAN. 1938 No. 4715

Serial No.

1 Kind reference is invited to Appendix IV of the Dt Board Accounts Manual containing the rules issued by Govt in regard to the leasing of the right to collect tolls and market fees. It will be seen therefrom that the right to collect fees is leased out from year to year.

A copy of the Transfer of Property Act is put up as directed. Ref. para 18 supra

Rmr 30/12

Secy L.J.S)

2 31/12.

Rmr 3.1.38

2 3/1.

II Member)

2 These leases are given for one year or less — and not "from year to year" in the sense that expression is used in law. I do not, therefore, think that registration is compulsory. But the point may be further examined.

RMR 4/1/38

Rmr 4.1.38

2 4/1.

2 This will, if approved, be sent to the Law section for favour of further action

Rmr 4.1.38

2 3/1.

Law Section)

TYPE SECTION 3 GENL SECY

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

3[illegible]

2765

File No. of 193 | General and Revenue Secretariat

2) Information may kindly be furnished if the right to collect Shandy fee is sold by public auction annually and if the period of lease is restricted to one year only.

Asst. Secy
L.S.G. for
Secy.

18.1.38

18 JAN 1938

Generally the right to collect the Shandy fee in respect of D&H Bd Shandis is sold by public auction annually and the period of lease is also restricted to one year only.

Why no fee. Govt have not fixed any minimum for allowing the D.B. to grow.
18/1/-

Sup
18/1/1938

3) Draft letter to the Presidents of Dt Boards calling for the information is submitted as directed

Why how can the Govt. fix any minimum. Govt. may be approached. The fee may be the subject of negotiation between the Govt and the Board
18/1/-

Rmr for
19/1/38

26 encl.
2
20/1/-

To the Presidents of Dt Boards

No L 6358-65 dated 24-1-38

Enquiries if the right to collect Shandy fees is sold annually

V
Sec A
25/1/38

S.V.S.

3602

DISTRICT BOARD OFFICE,
MYSORE.

D.O.C.54 L.B.37-38.

31st January 1938.

Dear Mr.Krishna Rao,

May I invite your kind reference to this office letter No. C.54 L.B.37-38 dated 1st November 1937, seeking instructions as to whether the agfeements executed by the contractors of shandies etc., should be registered and request the favour of your reply on t h e point at your earliest convenience, as already half of the current - official year is completed.

Yours sincerely,

P. H. KRISHNA RAO, ESQ., M.A.,
Secretary to Government of Mysore,
Local Self Government Department, Bangalore.

Further information called for from the Presidents
of Distt Bds is awaited. This is also due for the
President, Distt Bd, Mysore.
The President ought to have taken
an agreement according to standing
orders & practice on a ten-anna stamp

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

Agreements from Shanbhag contractors

3602

File No: 34 of 1937-38 — General and Revenue Secretariat

paper from the Contractors of the Shandis for the current year instead of granting for orders on a question of a general nature, which he has now raised. This will if approved, be pointed out to him.

28 May be done
2
3/4.

For orders
2
3/4.

Levy L. of S)

8/2/38

SECY. LOCAL SELF GOVT. 3. FEB. 1938 GOVT. OF MYSORE.

29
3.2.38

2
3/4. on RPW. 20th/pt

30 Draft submitted for approval
Rmrr
3/2/38/pm

31 Issue
2
4/4.

The President, Dt Bd, Mysore 51

Dn L 6729 dt 5-2-38

States that the executing procedure may be continued till separate orders are issued.

TYPING SECTION 4. FEB. 193. GEN. & REV. SECTT.

Letter No D2 Dis 75/ 32-38 dated 31-1-38 from the President Dt Bd, Kolar stating that the right of collecting fees in the shandis is being sold annually on auction and that the period of lease is restricted to one year only.

"This file may be put up for issue sent to Issue Section"

M. S-14.

4693/37 p 37 Lease deeds of shandy ...

13757

General and Revenue Secretariat — File No. 34 — of 193 ? — [App. F. III—2

Serial No.

... the president
38th Bd. Shimoga
Dist C ars. Ltr 3 2-8-38
furnishes the infn called for

Submitted with the connected file.

Report
9/2/38

Reply received from the Presidents of Shimoga & Kolar Dist Boards go to show that the right of collecting the fee in Shandis is limited to one year only, the sale also being restricted to one year.

The file may now be sent to the Law section.

2
9/2/38

Mr. Henry Law
(I.C.)

Fin
9/2/38

3b) Reference - Member's minute in Para 21
It is since ascertained that the right of collecting fees in Shandies is sold annually and that the period of the lease is restricted to one year only. This is not tantamount a lease from year to year or for a term exceeding one year; and the registration is not compulsory, under Section 17 of the Registration Act.

3c) But in this connection, we have to consider the provisions in Section 107 of the Transfer of Property Act. Para 2 of that Section provides that leases of immoveable property other than a lease from year to year

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

U693/37
P

LPB File No. 34 of 1937 General and Revenue Secretariat

or for a term exceeding one year or reserving a yearly rent, may be made either by a registered instrument or by oral agreement accompanied by delivery of possession. Section 54 of the Transfer of Property Act provides that Sections 54, paragraphs 2 and 3, 59, 107 and 123 shall be read as supplemental to the Bijoma Registration Act 1903. These sections, so far as they go, form supplement and supplement. In other words they virtually abolish optional registration. The combined effect of these sections seems to be that no lease may be made by an instrument in writing unless it is registered.

38 I may add that with a view to get over the possible effect of the difference in language in paras 1 and 2 of Section 54 of T.P. Act, Sec. 49 of the Registration Act in British India has been similarly amended in 1929. There is no corresponding amendment of section 49 of our Registration Act.

BDR 15.2.38

25 FEB. 1937

Asst. Secy
LSG Br
WC

Registration of lease deeds of Shandy Contractors

1153 37

General and Revenue Secretariat | LB | File No. 34 of 1937—38 | App. F. III—2

Serial No.

39) Subject for orders with reference to para 21 supra

2/15/21.

Secy L.S.G.)

for 25/2/38

40) 25-2-38

2/15/21

(Member)

41) A revised draft circular may be put up ~~calling for~~ the Sheriff Act under Section ... of the T.D. Act read with Section ... of the Registration Act, the leases have to be registered

NM 1/3/38

1.3.38

2/3/-

42) Draft circular is submitted for orders.

For favour of scrutiny and remarks if any

Rmrr 5/3

2/7/3/-

Asst. Secy L.S.G.)

43) The circular seems to be all right

BKR 7.3

Asst. Secy L.S.G. for Secy)

44) The draft circular is for approval.

2/7/3/-

Secy L.S.G.)

THE RECORD ... OF COUNCIL, 26 FEB. 1938 No. 639

17 MAR. 1938

SECY. ... GOVT. OF MYSORE. 7 ... 1938

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-9-37

Registration of lease deeds of shandy contracts — Draft rules & notifs

4179

L'B File No. 34 of 1937—38 General and Revenue Secretariat

45) D.O. circular for coordination. Refer para 41

Fin 8 3 38 for 8/3/38

(1 member)

OFFICE OF SECOND MEMBER OF COUNCIL. 8 MAR 1938 No. 6620

Secy 9/3/38

TYPIST 10

Fin 9.3.38 2nd

9/3

The Secretaries of Dt Bds
" Dy Comrs of Dts
" Mle Comrs, B. city
" Pdr, city Mle cl, Mysore
" Comptroller
" Commissioner of Stamps
" D. of Registration

Dis 2 7579-99 & 12-3-38

Directs that the lease deeds of shandy contractors should be registered at the latter's cost.

Parvis Secy 10/3

23/3

L. B. 34-37-4

IMMEDIATE

No. C.54 / 37-38

Office of the President, District Board,
Mysore District.

Dated, Mysore, 26th August 1937.

1157

SECY LOCAL SELF GOVT. 30 AUG 1937 GOVT. OF MYSORE.

1 SEPT. 1937

From

B. S. Puttaswamy, Esq., B.A., B.L.,
President, District Board,
MYSORE.

To

P. H. KRISHNA RAO, ESQ., M.A.,
Secretary to Government of Mysore,
Local-Self Government Department,
B A N G A L O R E .

OFFICE OF THE DEPUTY COMMISSIONER No. 2911 27 AUG. 1937 D3 MYSORE DISTRICT.

Through the Deputy Commissioner of Mysore District.

SUBJECT :—

I have the honour to state that under Rule 39 of the District Board Account Maiual an agreement has to be got executed by the contractors who purchase the right of collections of market fees in the several District Board shandies which are leased o u t annually by public auction. Hitherto agreement on a stamped paper of the value of ten annas was being got executed and not registered. In accordance with the District Board Accounts amended manual, the lease deeds ~~are~~ have got to be registered. A reference was made to t h e District Registrar about the value of the stamp paper required. He has stated as follows:-

"The definition of lease included letting of tolls. The stamp duty to be calculated is on the annual letting value. If the lease is not less than one year and not more than fiveyears it should be stamped as per scedule 1 A.Art.28 Cl.(a)ii."

Out of the marginaly noted shandies, the shandies at

Santhemarahalli, Chamrajanagar Taluk. Terakanambi, Gundlupet Taluk. Attigodu, Periyapatna Sub Taluk. Thandekere, Krishnarajapet Taluk. Kikkeri. -do- Koppa, Maddur Taluk. Nidaghatta, -do-	Santhemarahalli and Terakanambi are yielding heavy income viz., Rs16000/ and Rs 6000/- annually.

The contractors pled inability to incur the heavy charges. The lease of an immovable property for a period of less than a year need not be registered according to the Transfer of Property Act. All our leases with reference to shandy tolls are for a period less than a year if we take into account shandy days within a year. May

I

May I request you to kindly instruct me whether an unregistere
executed on stamp paper of the amount
lease deed would be sufficient in the circumstances?

I have the honor to be.

S i r ,

Your most obedient servant,

B B Puttaswamy

P R E S I D E N T ,

DISTRICT BOARD OF MYSORE.

Y.S.K.

Forwarded with Compliments

W. S. [illegible]

Deputy Commissioner

Mysore District

Appendix F G—1]

SUBJECT .....

.....

.....

Section L. B

File No. 31:37

Serial No. 23.

No. L3340

Diary No. of letter replied to.....

To

The President, D.t Bd, Mysore

Sir.

General and Revenue Secretariat

( )

the *193*

With ref. to your letter No- C 524/37-38 of 26-8-1937 re: registration of lease deeds executed by the Contractors of Bhandy collections, I am directed to request you to kindly send an extract of the rule or article from ~~Instructions of the~~ D.t Boards Accounts Amended manual, wherein it has been stated that the lease deeds have got to be registered.

Date of issue 2-10-37

Signed by Mr M.S.H

List of enclosures.....

Thanks.

Copied by .....

for Secy 2/10/37 to forward

for L&G Dept

Examined by.....

1.10.37.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, ~~22th September~~ 2nd Oct — 1937

No. L 3340/LB. 34-37-23

From

The *Secretary to the Government of His Highness the Maharaja of Mysore*

Local-Self Government Department.

To

The President,
District Board,
Mysore.

Sir,

With reference to your letter No. C. 54/37-38 dated the 26th August 1937 re- registration of lease deeds executed by the Contractors of shandy collections, I am directed to request you to kindly send an extract of the rule or article from the District Boards accounts amended manual, wherein it has been stated that the lease deeds have got to be registered.

I have the honor to be,
S i r ,
Your most obedient servant,

Secry. to Govt., L.S.G. Dept.

2365

Office of the President, District Board,
Mysore District.

No. C. 54/37-38

Dated, Mysore, 1st November 1937.
6th

L.B.34-37-33.

10 NOV. 1937

From

B. S. Puttaswamy, Esq., B.A., B.L.,
President, District Board,
MYSORE.

To

P. H. Krishna Rao, Esq., M.A.,
Secretary to Government of Mysore,
Local Self Government Department, Bangalore.

Through the Deputy Commissioner, Mysore District.

SECY. LOCAL SELF GOVT. L.S.G. 10 NOV. DEPT OF

Sir,

SUBJECT :—

With reference to your letter No.L.3340 L.B.34-37-23 dated 2nd instant, regarding the registration of lease deeds of shandy contractors, I have the honour to state that in Appendic IV Rule 39, Page 127 of the District Board Accounts Manual it has been laid down that the lease deeds should be got executed on stamped papers though not specifically required to be registered. It was thought desirable to have these deeds registered as toll is considered in law an immovable property; and a lease of an immovable property for a year and more ought to be registered under the Transfer of Property Act. If the Government deem that the registration is not necessary the agreement on a stamped paper of the value of annas ten will be taken as usual. I request early orders in the matter.

OFFICE OF THE ... No. 5879 6 - NOV. 1937 ... MYSORE DISTRICT

Forwarded with Compliments

Deputy Commissioner
Mysore District

I have the honor to be,

S i r ,

Your most obedient servant,

B S Puttaswamy

PRESIDENT.

Y.S.K.

Appendix F G—1]

SUBJECT .....

.....

.....

Section 713

File No. 34-37

Serial No. 50

Diary No. of letter replied to.....

No. 26358-65

To

The Presidents of Dt Bds
(through the D.Cs)

General and Revenue Secretariat

( )

the *193*

Date of issue 24.1.38

Signed by .....

Sir,

I am directed to request you to be so good as to state whether the right to collect chandy fees in the District is sold by public auction annually and if the period of lease is restricted to one year only.

Very early reply requested

I have

9/2/1/-

for

List of enclosures.....

Copied by .....

Examined by.....

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 6th February 1938.

No. L 6729/L.B. 34-37-57

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Local Self-Government Department.

To

The President,
District Board, Mysore.

(Through the Deputy Commissioner).

Sir,

With reference to your letter No.C.54/L.B.37-38, dated 31st January 1938, soliciting early orders as to whether agreements executed by the contractors of shandies should be got registered etc., I am directed to state that the question raised by you is of a general nature and is being examined separately. In the meantime the existing procedure of getting the lease deeds executed on a ten anna stamp paper may be continued.

I have the honour to be,

Sir,

Your most obedient servant,

T.D) Mir Sajan Imam

for Secretary to Government,
L.S.G. Department.

S.

Appendix F G—1]

SUBJECT .....

.....

.....

Section HB
File No. 34-37
Serial No. 51

Diary No. of letter replied to.....

No. L 6729

To

The President, Dr Board,
Mysore
(through the D.C.)

General and Revenue Secretariat

( )

the *193*

Sir,

With reference to your letter No. C 54/HB 37-38 dated 31-1-38 soliciting early orders as to whether agreements executed by the contractors of shandies should be registered or not, I am directed to state that the question raised by you is of a general nature and is being examined separately. In the meantime the existing procedure of getting the lease deeds executed on a ten anna stamp paper may be continued

I have etc

for Secy 4/4/38

Date of issue 5:2:38

Signed by [illegible]

List of enclosures.....

Copied by [illegible]

Examined by.....

WD 0521—GPB—30,000—12-3-37

No. A2 Ab 75 / 37-38

3744

Encs.

OFFICE OF THE PRESIDENT, DISTRICT BOARD,
KOLAR DISTRICT.

Dated, Kolar, the 31st Jan: 1938

From V. VENKATASWAMY CHETTY, Esquire,
~~Xxx CHENGALARAYA REDDY, Esqr., B.A., BL.~~,
President, District Board, Kolar.

8 FEB. 1938

To P.H.KRISHNA RAO, Esq., M.A.,
SECRETARY TO THE GOVERNMENT OF MYSORE,
Local Self-Govt: Department, BANGALORE.

SECY. LOCAL SELF GOVT 7. FEB. 1938 GOVT. OF MYSORE.

Throt

(THE DEPUTY COMMISSIONER, KOLAR DISTRICT)

this file may be put up for Sir's orders

With reference to your letter No.L.6358-65 L.B.34-37-50 dated 14-1-38 re: Collection of Shandy fees in the District I have the honour to state that the right of collection of fees in the Shandies is being sold annually in public auction and the period of lease is restricted to ~~a period of~~ one year only.

EVENING TAPPAL OFFICE OF THE DEPUTY COMMISSIONER 3. FEB. 1938 Gl. No. KOLAR DISTRICT.

I have the honour to be,
Sir,
Your most obedient servant,

V. Venkataswamy Chetty
President,
Dist. Board, Kolar.

Dis Lb 135/37-38

Forwarded with compliments

Deputy Commissioner.
Kolar District

3757

OFFICE OF THE PRESIDENT,
District Board & Local Education Authority,
SHIMOGA DISTRICT.

No. C 2254.B./37-3

SECY. LOCAL SELF GOVT. 9 FEB 1938 GOVT. OF MYSORE.

Dated the 2nd February 1938

Form

K. H. HALAPPA, Esq., B. A.,
President, District Board & Local Education Authority, Shimoga.

DEPUTY COMMISSIONER'S OFFICE 4 FEB. 1938 SHIMOGA DISTRICT.

9 FEB. 1938

To

P.H. Krishna Rao, Esq., M.A.,
Secretary to the Government of Mysore,
Local Self-Government Department,
BANGALORE.

Through

The Deputy Commissioner,
Shimoga District,
Shimoga.

Sir,

With reference to your letter No. L. 6358-65/L.B. 34-3-50 dated 24-1-1938 re: Shandies, I have the honour to state that the right of collecting fees in the shandies is being sold annually and the period of the lease is being restricted to one year only.

I have the honour to be,
Sir,
Your most obedient servant,

K. H. Halappa
President,
District Board, Shimoga.

D.M.

3792

TEL. ADDRESS. "PRESBOARD"

NO. L. Dis A3-C. 77 / 37-38 OFFICE OF THE PRESIDENT, DISTRICT BOARD,
ENCLS

Hassan, Dated 4th February 1938.

FROM

H.B. GUNDAPPA, Esq., B. A., B.L.,
President, District Board,
HASSAN.

Rec'd 7/2/38
PB. 764-37
9308

10 FE

TO

P.H.Krishna Rao, Esq., M.A.,
Secretary to the Government of His Highness the Maharaja of Mysore,
~~*Development Department,*~~
Local Self Government Department, Bangalore.
Through the Deputy Commissioner, Hassan District.

OFFICE OF THE DEPUTY COMMISSIONER - 6. FEB. 1938 HASSAN DISTRICT.

Sir,

With reference to your letter No.L.6358-65 L.B. 34-37-50 dated 24th January 1938 requesting to intimate whether the right to collect shandy fees in the District is sold by public auction annually and if the period of lease is restricted to one year only I have the honour to reply in the affirmative.

SECY. LOCAL SELF GOVT. OFFICE 10 FEB

1238 C2262/BT-38.
9.2.38

I have the honour to be,
Sir,
Your most obedient servant.

H. B. Gundappa
President,
District Board, Hassan.

Forwarded with compliments
A.H.Khan
Deputy Commissioner
6/2/38 Hassan

3794

In all future correspondence please quote
No. A.3766/37-38
Encls. Nil

OFFICE OF THE PRESIDENT, DISTRICT BOARD,
Chitaldrug, Dated 7th Feb 1938

SECY. LOC. DEPT. GOVT OF MYSORE 10 FEB

5516

OFFICE OF THE DEPUTY COMMISSIONER
No.
8 FEB 1938
CHITALDRUG DISTRICT.

FROM

J. MOHAMAD IMAM, ESQ., B.A., B.L.,
PRESIDENT, DISTRICT BOARD,
CHITALDRUG DISTRICT.

To

P.H. Krishna Rao, Esqr., M.A.,
SECRETARY TO THE GOVT. OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
Local-Self Govt. ~~DEVELOPMENT~~ DEPARTMENT, BANGALORE.

(Through the Deputy Commissioner, Chitaldrug District.)

Sir,

With reference to your letter No.L.6358-~~[illegible]~~/L.B 34-37-50, dated the 24th Jan. 1938, re. certain information about the lease of the right of collection of shandy fees in the District, I have the honour to state that the same is being done by public auction annually and the period of lease is restricted to one year only. In some cases where the original sale fetches a very low bid, the lease will be arranged to be disposed either by resale or by inviting tenders.

Forwarded with compliments.

Deputy Commissioner
Mrk.

I have the honour to be,
Sir,
Your most obedient servant,
President

3796

OFFICE OF THE PRESIDENT, DISTRICT BOARD,
TUMKUR DISTRICT.

Dated, Tumkur, the 31st Jan. 1938
2nd Feby.

No. C.677/37-38.
Encls.

From

H. VENKATARAMIAH, Esquire, B.A., B.L.,
PRESIDENT, DISTRICT BOARD,
TUMKUR DITRICT, TUMKUR.

10 FEB. 1938

To

T. H. Krishna Rao, Esquire, M.A.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
Local Self Govtt., ~~GENERAL~~ DEPARTMENT, BANGALORE.

Through

THE DEPUTY COMMISSIONER,
TUMKUR DISTRICT, TUMKUR.

Sir,

In reply to your letter No. L. 6358-65/L.B. 34-37-50 dated 24-1-1938 re: auction of collecting fees in the shandies, I have the honor to state that the right of collecting fees in the shandies in this District is sold by public auction every year and that the period of such right is restricted to only one year.

OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR
3. FEB 1938

7346

I have the honour to be,
s i r,
your most obedient servant,
H Venkataramiah
President, District Board,
Tumkur District.

No 155/37-38.
Forwarded with Compliments.
Deputy Commissioner
Tumkur District.
3/2/38

4179

No. L. B. L Dis 3-239/37-38

OFFICE OF THE PRESIDENT,
Kadur District Board,

Dated, Chikmagalur 24th February 1938.

From

S. N. Ramanna, Esq, B. A., L L. B.,
President, Kadur District Board,
CHIKMAGALUR.

To P.H. Krishna Rao Esq., M.A.,
Development Secretary to Government of Mysore,
L.S.G. Department. **BANGALORE.**

Through,

The Deputy Commissioner,
Kadur District, Chikmagalur.

Sir,

With reference to your letter No.L.6358-65/L.B.34-37-50 dated 24-1-1936, in regard to the right to collect Shandy fees in the District, I have the honour to state, that the right is sold by Public auction annually and the lease is restricted to one year only.

26.2.38
A-3
16037
2.3.38
6. Pm

I have the honour to be,
Sir,
Your most obedient servant.

S N Ramanna
President,
Kadur District Board.

NB.

Forwarded with Compliments

By Naga Lavendra B
Dy. Deputy Commissioner
Kadur District

Appendix F G—1]

SUBJECT ..... FO ..... als .....

.....

.....

Section 93

File No. 34-37

Serial No. 55

Diary No. of letter replied to.....

No. L7579-99

Circular

To

General and Revenue Secretariat

( )

the *193*

At present, the standing orders require that the lease deeds ~~to be~~ executed by the contractors who purchase the right to collect fees in markets and shandis under the control of the Dt Boards and the Municipal Councils should be on stamped paper. The President, Dt Board, Mysore has raised a question whether it is necessary that such lease deeds also should be executed and has solicited (definite) orders on the matter.

Date of issue..... 12.3.38 .....

Signed by ..... Dm. Dm. 5.14 .....

List of enclosures.....

Copied by 10 13/3/38

Examined by.....

2 ~~After a careful examination~~ of the question, Govt observe

that under the provisions of Sections 4 and 107 of the Transfer of Property Act, read with Section 17 of the Registration Act, such leases should be got registered ~~and the aforesaid~~ necessarily

~~Government~~ ~~are therefore~~ direct that the agreements to be executed by the Shandy and market contractors in District Boards and Municipalities should be got registered.

3 The Presidents of Dt Bds and of Municipal councils are requested accordingly to insert this ~~clause~~ ^ specification also in the notifications issued for the sale of the right of collecting the shandy and market fees ~~every year~~ that the agreement with the contractor should be required at this ~~arrange to get~~ the agreement registered at his cost

4 The Comptroller is requested to issue the necessary amendments to the Dt Bd Accounts Manual and the Municipal Accounts Manual in this behalf.

By order
for 873
Secy to Govt

Rmm
2/9/1-

To,
The Pdts of Dt Bds
" D.Cs of Dts
" Mr Comm, B'alore
the Vice Pdt
" Pdt, city Mcl, Mysore
" Comptroller
" Commr of Stamps
" J.Y. of Registration
Copy to F&A.

Government of His Highness the Maharaja of Mysore,
General and Revenue Secretariat.

No. L 7579-99/L.R.34-37-55 Dated, Bangalore, the 19th March 193

CIRCULAR.

At present, the standing orders require that the lease deeds executed by the contractors who purchase the right to collect fees in markets and shandies under the control of the District Boards and the Municipal Councils should be on stamped paper. The President, District Board, Mysore has raised a question whether it is necessary that such lease deeds should also be registered and has solicited orders, in the matter.

2. Government observe that under the provisions of Sections 4 and 107 of the Transfer of Property Act, read with Section 17 of the Registration Act, such leases should invariably be registered.

3. The Presidents of District Boards and of Municipal Councils are accordingly requested to specify in the notifications issued for the sale of the right of collecting the shandy and market fees that the contractor should arrange to get the agreement registered at his cost.

4. The Comptroller is requested to issue necessary amendments to the District Board Accounts Manual and the Municipal Accounts Manual in this behalf.

By Order,

Sd/- Sajan Kumar

for Secretary to Government,
Rev. L.S.G. Department.

The Presidents of District Boards.
" Deputy Commissioners of Districts.
" Municipal Commissioner, Bangalore City, through the President, City Municipal Council, Bangalore.
" President, City Municipal Council, Mysore.
" Comptroller to Government.
" Commissioner of Stamps in Mysore.
" Director General of Registration in Mysore.

K/10.

Government of His Highness the Maharaja of Mysore,
General and Revenue Secretariat.

No. L 7579-99/L B 34-37-55 dated, Bangalore, the 19th March 1938

CIRCULAR.

At present, the standing orders require that the lease deeds executed by the contractors who purchase the right to collect fees in markets and shandies under the control of the District Boards and the Municipal Councils should be on stamped paper. The President, District Board, Mysore has raised a question whether it is necessary that such lease deeds should also be registered and has solicited orders, in the matter.

2. Government observe that under the provisions of Sections 4 and 107 of the Transfer of Property Act, read with Section 17 of the Registration Act, such leases should invariably be registered.

3. The Presidents of District Boards and of Municipal Councils are accordingly requested to specify in the notifications issued for the sale of the right of collecting the shandy and market fees that the contractor should arrange to get the agreement registered at his cost.

4. The Comptroller is requested to issue necessary amendments to the District Board Accounts Manual and the Municipal Accounts Manual in this behalf.

By Order,

Mir Sajan Imam

for Secretary to Government,
Rev. L.S.G. Department.

The Presidents of District Boards.
" Deputy Commissioners of Districts.
" Municipal Commissioner, Bangalore City, through the President, City Municipal Council, Bangalore.
" President, City Municipal Council, Mysore.
" Comptroller to Government.
" Commissioner of Stamps in Mysore.
" Inspector General of Registration in Mysore.

M.M.P.10.

Government of his Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. L. 7579-99—L. B. 34-37-55, dated 12th March 1938.

Lease Deeds executed by Shandy and Market Contractors.

Directs that the —— in favour of Municipalities and District Boards should be registered.

CIRCULAR.

ORDER No. L. 7579-99—L. B. 34-37-55, DATED BANGALORE, THE 12TH MARCH 1938.

At present, the standing orders require that the lease deeds executed by the contractors who purchase the right to collect fees in markets and shandies under the control of the District Boards and the Municipal Councils should be on stamped paper. The President, District Board, Mysore, has raised a question whether it is necessary that such lease deeds should also be registered and has solicited orders in the matter.

2. Government observe that, under the provisions of Sections 4 and 107 of the Transfer of Property Act, read with Section 17 of the Registration Act, such leases should invariably be registered.

3. The Presidents of District Boards and of Municipal Councils are accordingly requested to specify in the notifications issued for the sale of the right of collecting the shandy and market fees that the contractor should arrange to get the agreement registered at his cost.

4. The Comptroller is requested to issue necessary amendments to the District Board Accounts Manual and the Municipal Accounts Manual in this behalf.

By Order,

P. H. KRISHNA RAO,
Secretary to Government,
Local Self-Government Department.

To—The Presidents of District Boards.
The Deputy Commissioners of Districts.
The Municipal Commissioner, Bangalore City, through the President, City Municipal Council, Bangalore.
The President, City Municipal Council, Mysore.
The Comptroller to Government.
The Commissioner of Stamps in Mysore.
The Inspector-General of Registration in Mysore.

Exd.—C. K.

WD 1613—C—400—22-3-38